

TRANSFORMING INDIGENIOUS PEOPLE:

Toward cultural Sovereignty

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Indigenous peoples are under siege

. For the first time in our history, we are witnessing unprecedented shift of our global political economy that affect the livelihood of *indigenous* peoples. It is a changing of global mode of production system, from state-led subsidiary and price stabilization economic system, to free competition in trade and agriculture production. It is a trading that concentrated on the co modification of food as a globalized system, such as protection policies through the establishment of Agreement on Agriculture, which involves patent system and other policies of integrating our agriculture into global trade system is basically a new threat to the history of traditional agriculture where most of indigenous people depend on.

This scaling up of the tendency to integrate our food system as a part of global agro-food system now being introduced is a major shift in agriculture that will affect the livelihood of the people. This globalize food system actually is not benefiting the majority of people, nor is it ensuring food security of millions of the poor. Worse, it is not guarantying the supply of food for all people, nor is it securing them from starvation. The free trade system of food production adopted by the government actually only meets the need of small group of giant transnational agribusiness and multinational manufacturers and marketers of agricultural inputs, as well as food processors, distributors, retailers and small group of consumers. It is the Agreement on Agriculture of WTO that makes it possible for TNCs to control genetic resources and seed varieties used by farmers in the South. This process of food colonialism will lead to new threat of indigenous people security.

It is in this context of historical moment this book is published. Therefore this book represents the voices Indigenous people resistance toward that cultural colonialism. It is an expression of indigenous people on their oppressiveness. The book is written based on critical consciousness among indigenous people on the current global cultural colonialism; a new system which is governed by neoliberal policies on food trading, the using biotechnology and patenting system. The Cultural colonialism has been materialized on Food policies, such as patenting life forms and genetic modification, land and other agriculture trade policies. Those policies facilitate not only corporate control over global agriculture and claims of ownership of world plant genetic resources, but also entrap the corporations and millions of peoples in unjust structural relations. Patenting life form, which is basically a grant made by the government assuring the sole right to make, use, and sell the invention of an item for a certain period of time, is unacceptable for it is threatening the livelihoods of the people. In other words, food production has become the mean of domination that threaten human security because it has been used to undermine the livelihood of millions of human beings, especially indigenous people. What the indigenous people seek in this book basically a political position envisioning possible transformation to democratize the food system. It is a system that grantee future hope and blessings to human beings when it is run under global justice. It also prevents the indigenous people cultural sovergnity.

Globalized agriculture System; a Post-colonial, Neoliberal Policy

Indigenous people are now in the age of “neoliberalism. Neoliberalism is a set of global economic policies widespread in the last 25 years. Indigenous people actually can understand clearly feel the effects of neoliberal policies as the rich grows richer and the poor grows poorer resulted from the cutting of agriculture subsidies and the collapse of food and other agriculture prices. "Neo" means a new kind of liberalism. It is the idea of governing policy that advocates the abolition of government intervention in economic subjects. There is no restriction on manufacturing, no barriers to commerce, no tariffs. It is believed that free trade is the best way for a nation's economy to develop. Such ideas

are "liberal" in sense of no controls. This application of individualism encourages "free" enterprise, "free" competition. Economic liberalism became the dominant public policy in the United States in 1800s and early 1900s. Then the Great Depression of the 1930s led an economist named John Maynard Keynes to a theory that challenged liberalism. In essence, he wrote that full employment is necessary for capitalism to grow and it can be achieved only if governments and central banks intervene to increase employment. These ideas had much influence on President Roosevelt's New Deal, which managed to improve life for many people. The belief that government should advance the common good became widely accepted. Since then, this state-led economic development model has been accused of having caused the shrinking profit rates for capitalists during the last 25 years and leading to the world economic crisis. This rationale inspired corporate elites to revive economic liberalism. With rapid corporate globalization of the capitalist economy, we are seeing neoliberalism on a global scale.

The international agreement on trade and tariffs (GATT), signed in Marrakech, Morocco, in 1994, is considered to be birth of neoliberal globalization. The Marrakech accord led to the establishment of the World Trade Organization (WTO) in 1995. WTO was established based on the assumptions and belief that a free trade system is more efficient compared to protectionism system. The theory states that "free competition" will bring benefit to those who are effective and efficient. Therefore, theoretically, in terms of their basic values, there is no difference in ideology between liberal model of colonialism and the new liberalism of globalization. However, globalization is more sophisticated in terms of its global mechanisms and systems. Culturally, globalization involves cultural and ideological hegemony and discourse, whereby the small elite groups of society dominate the agenda, value and direction for the future of the poor. Therefore, globalization in South has been seen as part of a historical journey of domination from the era of colonialism to postcolonial "state-led developmentalism".

We are now in the era of free trade liberalization and corporate globalization. There are at least three actors, namely the transnational corporations (TNC), multilateral banks/international financial institutions, and finally global institutions of WTO. TNCs

are absolutely essential in this process of corporate globalization. In the last two decades, just before the changing of Millennium, the number of TNCs, including those in the agribusiness and chemical sectors, increased dramatically. There were 7,000 TNCs in the 1970s, while in 1990s the number of TNCs climbed to approximately 37,000. TNCs now dominate the world economy; they control 67% of world trade and compose 75% of total global investment. In terms of agribusiness, there are approximately 100 TNCs concentrating exclusively on the business of seeds, pesticides, and fertilizers, most of whom are now operating in the land of ingenious people

All mechanisms and trade liberalization supported by the Bank and IMF through WTO are based on the assumption and belief that economic growth can only be reached through free market and trade liberalization. "Free competition" is the only mechanism that makes it possible for the economy to grow. All this assumption is based on a belief that "free market" is efficient. Trade-related intellectual property rights are one of the main WTO policies. The policy basically characterizes the neoliberal perspective on governing and controlling biodiversity and market. It is in this context biotechnology, became a strategic part of neo-liberal corporate globalization. National policies in South must be reformed through force so that they fit the global trade economy. In the last ten years, for example, there has been policy change in Indonesia in favor of TNCs, such as passing laws regarding new investment, land, tax and labor, privatization and subsidies and the patent law. The Indonesian House of Representatives, as another example, recently passed law bills on trademarks and patents which are expected to boost foreign investors' trust and the protection of intellectual property rights (IPR). The argument is that trademark and patent laws are needed to maintain fair competition under free trade and free market. The main purpose of these bills, however, is more to accommodate international requirements and pressure to incorporate each respective field of intellectual property rights, including patents and trademarks. The endorsement of the bills was based on a hope that it will create a more favorable climate for foreign investment. Indonesia has now moved a step forward to comply with the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPs), established by WTO. Indonesia ratified the agreement through Law No. 7/1994 and is bound to implement all laws related to IPR by

2001. These processes and mechanisms, in my opinion, will make it easier for TNCs to expand to South. Therefore, trade liberalization has nothing to do with livelihood and human rights of million people in Indonesia, but rather with the TNC agenda.

In the same time the neoliberal free market policies abolish the ideology of “collective welfare.” Communal land property systems that are still being practiced among indigenous people are undermined. The tradition of collective ownership and collective welfare as well as communal intellectual property rights is viewed as blocking efficient economic growth. Instead, the economy should be acknowledged to the private sector. Based on these principles, the right to “manage” natural resource should be given to those who are considered the experts and the most efficient, private business and agribusinesses, not to indigenous people. They have been discredited as unable to manage natural resources efficiently and effectively.

Disarticulation of indigenous people is part of the long history of economic development. To achieve today’s economic level, the process of accumulation was supported by hundred years of colonialism, and thus, access to raw materials and markets. Today we are witnessing a new wave of colonialism in the form of neoliberal corporate globalization, Cultural colonialism concentrates on natural resources aspect, hence understanding its impact on the sovereignty and security of Indigenous people who own and endow with raw materials is crucial.

Global Food Production System as a Threat to Indigenous People Sovereignty

The growth and integration of world market in agricultural commodities, especially staple foods, has impacted to the extension of food production process of transactional agribusiness corporation. The introduction of industrialization and liberation of food system in the country recently replaced systematically the previously state-led agriculture development. It is clear, that the introduction of industrialized food system did not give benefit to farmers and farm workers as food producer; but rather displaced their position. All neoliberal policies on food system basically give legal enforcement for the privilege of those agribusiness corporations. Indigenous people would naturally expect all

government agricultural policies, including patent, GMO seeds and food security strategy to protect them, and defend their rights to the biodiversity they have depended on for years. But in reality, all agriculture policies are used as means to protect the interest of transnational corporations, not the people. Hence many reasons emerged on why people reject patents on life forms. Indigenous people aware that patenting life could risk damaging biological diversity, because the immediate output could cause further ecological disruption and its sustainable practice to protect human security, social and cultural rights of the people. In fact, people learn that patents block innovation and create dependency. In reality, patents are monopoly control commonly exercised by those who are economically and politically powerful over those who are powerless

Neoliberal policies on patenting life form allowed TNCs to take control over biodiversity and natural resources belong to the people. The patent system and other neoliberal policies such as cutting state subsidies, raising tariff of agriculture products, privatizing state companies and public services, and gaining permission to use GMOs in agriculture, are not in favor of most people. Those policies not only will attract TNCs to invest, but also will force people to compete “freely” with giant TNCs. Unequal competition between the two will cause small. Policies will rapidly transform agriculture from petty capitalist mode of production to agribusiness industry model of TNCs.

Transforming the System: Towards IP’s Sovereignty

Neoliberal policy on food, which declared that TNCs would produce safe food to feed the world, is a myth. People realized that GMO and other kinds of food produced by biotechnological genetic modification, especially those applying pesticides and other chemical materials, poison human beings. The myth declared that patents would protect innovation and knowledge. Indeed, the previous analysis showed that the patent system and intellectual property rights to microorganisms and germ plasma legalized the robbery of Indigenous people biodiversity. In fact giving exclusive monopoly rights over life forms to commercial enterprises could undermine traditional seed exchange culture, which is vital to people’s survival in their livelihood strategy. Monopoly over life forms will destroy various forms of common property resources, by which the rights of people

over natural resources and community wisdom are ensured. Therefore, patent system will threat human security and violate human and cultural rights of ingenious people

Indigenous people start to aware that special nature of plant genetic resources, their distinctive features and problems, need distinctive commitment and solutions. The continuing erosion of these resources is a conviction that plant genetic resources for food and medicine are common concerns of the peoples. This is also a global ethical concern for human beings. Conservation, exploration, collection, characterization, evaluation and documentation of plant genetic resources for food and medicine are essential in meeting the global ethical goals of human security in this and future generations. Conservation and sustainable use of plant genetic resources for food and medicine for human security is the people challenge. Questions regarding the governing technology of plant genetic resources for food and medicine are at the meeting point between human rights, environmental and commercial attention. Hence, our global agenda is to ensure a just relation and fair synergy among these elements. In exercising people's sovereign rights over plant genetic resources for food and medicine, state and the people may mutually benefit from creation of an effective multilateral system facilitating access to these resources. In this process, it is essential to ensure that people in South receive fair and equitable sharing of the benefits arising from the use of these resources to a genuinely fair world for all.

A Vision towards Cultural Sovereignty

This book offered the reaffirmation of Indigenous people cultural position. Biodiversity as basic requirement for the people life asked be acknowledged as basic human rights and livelihoods element. A livelihoods system comprises the capabilities, assets (including economic, ecological and sociological and sociocultural resources), and activities required to make a living (Carney, 1998). An alternative vision of the future of natural management system is needed in order to establish a basic platform to secure human security, human rights and livelihoods system. Therefore, people need urgently to establish a new vision to transform the food system in a more just and humane direction. It is an alternative food system that integrating human rights perspective as well as

livelihoods perspective. A food system comprises the set of activities and relationships that interact to determine what and how much, by what method and for whom, food is produced, processed, distributed and consumed (Fine 1998). Food systems include not only the production of food, but also the process of production, mode of production, distribution and the policy to govern its trade.

Therefore, Indigenous People oppose any interference by WTO in food and agriculture sectors and to reject its attempt to determine national food policies. People resist WTO agreements on intellectual property rights over plants and other living organisms and demand completely removing staple foods from the WTO mandate. Agriculture should not be subject to the same demands for international competitiveness as other forms of production. Indigenous people support the idea replacing agricultural and trade policies with the principle of *food sovereignty*. Food sovereignty means the right of local communities, to decide their food policies for themselves. When decisions concerning food production are made locally, agriculture can take account of local and regional features related to the prevailing natural, socio-economic, or business conditions. In other words, agricultural and food policies should be the favouring of locally produced foods. Agricultural production for the world market must not take away the capacity needed for producing national staples, and imports of food products must not obliterate local production. Decisions concerning food and agriculture should be made openly, democratically, and as close to the affected regions as possible. International trade policies on food and agriculture should leave more room for local production decisions at national, regional, and local community have the right to develop and protect their own food products. Indigenous people demand the right to develop their own agricultural sector and protect it from imports. Preserving Natural resources is extremely important for the indigenous peoples nature's genetic diversity. People's livelihood dependent on traditional forms of agriculture, cultural cohesion, and the knowledge and ability of the people on how to use plant varieties and species. The gathering, exchange, and sale of plant seeds have been the right and practice of self-sufficient farmers for thousands of years. Such knowledge has now begun to be studied in laboratories, and plant varieties are being described and patented. Genetic technology permits the modification of

individual traits and so production of new varieties that are patented for use by the company in question as an invention.

Therefore Indigenous peoples need the prohibition of bio-piracy and patents on living organisms, including patents of sterile varieties through genetic engineering processes. Seeds are the patrimony of all humanity; therefore we need to ensure the protection of “plant breeders’ rights” in which plants and animals should stay out of the patenting regime. We need to ensure that the technologies creating genetically modified organisms (GMO) represent a threat to human security. At this time, the effects of GMO on health and the environment are still unknown, so that it is necessary to take extreme precautions and to demand the banning of its open experiments, production and marketing until its nature and impact are disclosed. The regulation of food labels and content of food-related advertising as forms of exercising the precautionary principles.

For Indigenous people, human security should be based on diversified system of food production, complied with sustainable technologies. It is essential to develop initiatives for sustainable food production generated at local level by small producers, backed up by the establishment of policies promoting democratic food systems. Protection of the environment and biodiversity are closely related with the recognition of cultural diversity, in so doing, cultural diversity should be considered as it leads to different local and regional contexts. Communal property rights regarding appropriate technology need to be secured. People’s biodiversity needs to be advocated through democratic process and self-organization, initialization and mobilization of all members of the society. It requires strong, protective state policies and effective public policy. This process requires the development of solidarity-based social setting. Communal property rights are a civil concept with concerns on society as a whole. For this reason, social dialogue should involve all social sectors. Eradication of hunger, poverty and malnutrition, is *possible*.

Finally, since food colonialism is part of food globalization, establish alternative localized food system basing on the idea of securing the rights to food and defending the

livelihoods of local peoples. It is the peoples' rights our to defend their cultural sovereignty.

Bibliography

Goodman. And Michael Watts, (ed.) ***Localising Food, Agrarian Questions and Global Restructuring***. London: Routledge.1997

Carney. (ed). ***Sustainable Rural Livelihoods: What contribution can we make?*** London: Department for international Development, 1998.

Fakih, Mansour, ***Runtuhnya Teori Pembangunan dan Globalisasi***. Yogyakarta: Pustaka Pelajar.2001

Fine, B. ***The Political Economy of Diet, Health and Food Policy***. London: Rutledge, 1998.

Hobelink.H. ***Biotechnology and the Future of World Agriculture***. London: Zed Book. 1991.

Kloppenbergs.J. ***Report on the Commission of Plant Genetic Resources***. FAO: . 1990.

McMichael, Philip. ***Development and social change; a global perspective***. California: Pine Forge Press, 1996.

Pimbert, M.P., John Thomson, William Vorley, Tom Fox N Kanji and C. Tacoli, ***Global Restructuring, agri-Food Systems and Livelihoods***, London; IIED, 2001

Sachs, W. (Ed.). ***The Development Dictionary, A Guide to Knowledge as Power***, London: Zed Books: 1992.

Shiva, Vandana. ***The violence of the Green Revolution: Ecological Degradation and Political Conflict in Punjab***, 1989.

-----, ***Biodiversity, A Third World Perspective***. Penang, Malaysia: Third World Network. 1994

-----, ***Biotechnology and Environment***. Penang, The Third World Network.1994.